CA-IR-22

Note: The CA had two IRs labeled CA-IR-21. This IR (i.e., the 2nd CA-IR-21), was relabeled to CA-IR-22.

Ref: Exhibit HECO 602, Pages 10 through 18.

Regarding HRS Chapter 343 Requirements:

a. Who would be the accepting authority for the EIS if HECO were to pursue the Kamoku-Pukele 138 kV Underground Transmission Line Alignment?

b. Why did HECO not submit a new or supplemental EIS for the Kamoku-Pukele 138 kV Underground Transmission Line Alignment, either simultaneously with the Kamoku-Pukele 138 kV Transmission Line Project (via Waahila Ridge), or when major opposition was discovered from numerous parties, organizations and individuals?

c. What impact on the "Estimated Permitting & Engineering Schedule" (figure 2 on page 12, figure 3 on page 17 and figure 4 on page 18) would completing an EIS or supplemental EIS for the underground alternative have had on the project schedule? Provide copies of all documentation to support the response.

d. If the "Estimated Permitting and Engineering Schedule" could have been somehow shortened via filing a separate or supplemental EIS for the underground alignment of the Kamoku-Pukele 138 kV Transmission Line, would HECO find it more favorable to purs[u]e this option versus the project outlined in the instant docket? Explain.

HECO Response:

a. The accepting authority for an EIS if HECO pursued the Kamoku-Pukele 138 kV Underground Transmission Line Alignment could have been the City Department of Planning & Permitting, City Planning Commission, City Council, City Department of Budget & Fiscal Services (if an easement was required), or the Public Utilities Commission.

b. Public sentiment to a project is one of several factors that is considered when pursuing a certain alternative or deciding to pursue another alternative. While the Kamoku-Pukele 138 kV Transmission Line Project (via Waahila Ridge) experienced major public opposition, there were no other compelling reasons or indications that the Board of Land and Natural

Resources (BLNR) would deny the Conservation District Use Permit for Waahila Ridge. For example, State Land Use law allows transmission lines in the conservation district; the BLNR issued a CDUP to HECO for the Waialua-Kuilima 46kV Subtransmission Line Project, which involved conservation land arguably more pristine than Waahila Ridge; and the BLNR granted a CDUP for a wind farm on Maui, which had potentially more significant impacts to the environment than HECO's proposed 138kV transmission line on Waahila Ridge. From a practical standpoint, a significant amount of resources is required to administer an EIS process for a major project like a transmission line. Therefore, it would be impractical to change from one EIS process to another EIS process mid-stream or to administer two EIS processes in parallel for the same project. The public could also perceive a company or developer's attempt to have two EISs processed simultaneously for the same objectives as trying to mislead or confuse the community.

c. The Estimated Permitting & Engineering Schedules shown in HECO-602, Figure 2, on page 12, Figure 3, on page 17, and Figure 4, on page 18, assume that an EIS is done for the 138kV underground alternative. For planning and scheduling purposes in each scenario, the EIS process was assumed to be associated with a Land Use Approval. In Figures 2, 3, and 4, this is shown in lines 4, 3, and 3 respectively. In each of the scenarios, the EIS process was assumed to take approximately fifteen months. The primary basis for arriving at this assumption was the time it took to complete the *Kamoku-Pukele 138-kV Transmission Line Project, Revised Final Environmental Impact Statement, September 2000*, which was approximately twenty-one months. From this basis, we took into account the qualitative differences with the 138kVunderground alternative and the 138kV alternative utilizing Waahila Ridge. See HECO-602, pages 14 and 15, for HECO's qualitative analysis in

developing the EIS/Land Use Approval schedule estimate.

d. Timely implementation of an alternative was only one of several major factors considered in evaluating the alternatives. As noted in Mr. Joaquin's testimony, HECO T-1, pages 12-15, other major factors considered were effectiveness, construction and other impacts, and public sentiment. Thus, if the 138kV underground alternative schedule was somehow shortened so that it was comparable to the 46kV Phased Project (proposed in the instant docket) schedule, then there could have been a stronger case to pursue the 138kV underground alternative. However, as mentioned in response b above, there was no compelling reason to file a separate or parallel EIS for the 138kV underground alternative while HECO was pursuing the 138kV alternative utilizing Waahila Ridge.